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Atty. Dkt. No. 071949-4102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BUECHLER et al.
Title: METHODS FOR MONITORING
THE STATUS OF ASSAYS AND
IMMUNOASSAYS
Appl. No.: 09/712,615
Filing Date: 11/13/2000
Examiner: Lisa V. Cook
Art Unit: 1641

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Germaine Sarda</u> (Printed Name) <u>Germaine Sarda</u> (Signature) <u>August 1, 2003</u> (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO-1449 a listing of the documents to be considered in the instant case. Copies of the cited documents are not being provided herewith. Rather, Applicants direct the examiner to the documents which are contained in the file history of U.S. PTO application Serial No. 09/003,065, filed January 5, 1998 (now U.S. Patent no. 6,194,222), which is the parent of the instant application. In accordance with 37 CFR §1.98(d) and MPEP § 609(I)(A)(2), Applicants need not submit the references since the parent case is relied on for priority and is specified in this information disclosure statement. In accordance with 37 CFR §1.98(d) and MPEP § 609(I)(A)(2), the examiner is requested to consider the references in the parent case and to make this of record in the instant case.

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The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR § 1.97(c) in the amount of \$180.00 in accordance with 37 CFR § 1.17(p) is attached.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date August 1, 2003

FOLEY & LARDNER
Customer Number: 30542



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